



Woolwich Polytechnic School

POLYMAT

Model Grievance Procedure

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1. Introduction

- 1.1 Governors, Head Teachers, line managers, supervisors and employees are expected to establish and maintain good relationships with each other but it is understood that problems may sometimes arise concerning work issues and relationships. It is hoped that in most cases these problems will be resolved by informal discussion but this procedure has been designed to deal with grievances which remain unresolved after the normal management process has been exhausted.
- 1.2 This Policy does not form part of the terms and conditions of any employee's employment with the School and is not intended to have contractual effect. However, it reflects the School's current practices and employees are strongly encouraged to familiarise themselves with its content.
- 1.3 The procedure aims to settle grievances fairly and promptly, as near to the point of origin as possible, and sets out a formal procedure for individual employees to raise grievances about matters that remain unresolved.
- 1.4 Every attempt should be made to resolve problems quickly and informally, by discussing the matter openly and honestly, and only when this fails should the formal procedure be used. The aim of this procedure is to resolve problems as fairly and speedily as possible.
- 1.5 It is the School's policy that everyone should be treated fairly and without discrimination on the basis of their gender, sexual orientation, marital or civil partner status, pregnancy or maternity, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief, age or disability (the protected characteristics).
- 1.6 The School will not tolerate processes, attitudes and behaviour that amount to any form of discrimination, including harassment, victimisation and bullying through prejudice, ignorance, thoughtlessness and stereotyping. This commitment will be demonstrated from the most senior to the most junior positions within the School. In practice this means:
- there will be clear and effective ways of raising any complaint, in confidence and without fear of retribution;
 - wherever appropriate, necessary steps will be taken to ensure the individual safety of the complainant;
 - complaints shall be properly investigated;
 - employees making a formal complaint may choose to be represented/accompanied by an appropriate work colleague or an accredited trade union official at any grievance hearing. This right does not apply to informal investigations or meetings.
 - employees will be informed of any complaints made against them. They may be represented/accompanied at any grievance hearing and respond at any time during the investigation;
 - there is a right to appeal.
- 1.7 If an employee is found to have made a false allegation(s) for malicious reasons, formal disciplinary action against the employee may be recommended under the School's Disciplinary Procedure.

2. Scope

- 2.1 The Grievance Procedure applies to Head Teachers, teaching and support staff working under a contract of employment with the School.
- 2.2 Where governors have a complaint against school's staff, including the Head Teacher, it should raise this complaint to the Chair of the board of POLYMAT.

3. Exclusions

- 3.1 The Grievance Procedure will not apply to complaints or grievances which:-
 - Relate to recruitment short listing or non-appointment;
 - are covered by statutory controls such as Income Tax, National Insurance and Pension Schemes;
 - are covered by other national or local appeals procedures;
 - Are raised more than 3 months after the events in question.

4. Governors/Head Teachers/Line Managers/Supervisors role and responsibilities

- 4.1 Governors, Head Teachers, Line Managers, Supervisors will:
 - implement this procedure according to the timescales set out in this procedure
 - set and monitor standards of behaviour in the school;
 - provide advice and support to employees making a complaint;
 - make every effort to deal with complaints informally;
 - ensure that they are seen to be fair and equitable in their dealings with employees;

5. Employee's role and responsibilities

- 5.1 Employees will:
 - make every effort to resolve the problem or complaint before starting the formal grievance procedure;
 - follow the stages of the procedure in sequence to ensure a fair procedure is followed.

6. Grievances made during the course of a disciplinary process

- 6.1 Grievances lodged at any time up to any appeal hearing, which concern or are connected to disciplinary matters will normally be dealt with as part of the School's Disciplinary Procedure. However, managers are advised to consult with the School's HR Adviser for further guidance in relation to these matters.

- 6.2 Grievances raised after any dismissal or warning stage but before an appeal stage will normally be considered at the appeal hearing under the School's Disciplinary Procedure. Insofar as grievances brought by an employee are unconnected to matters concerning the disciplinary process, the Grievance Procedures will apply in relation to those unconnected complaints. Governors/ Head Teachers, line managers and/or supervisors are advised to consult with the School's HR Adviser for further guidance in relation to these matters.

7. Confidentiality

- 7.1 Strict confidentiality must be maintained when dealing with grievances. Governors, Head Teachers, line managers, supervisors and employees involved in cases must not discuss or disclose facts or matters relating to the complaint to others who do not have a legitimate interest in the grievance.
- 7.2 Records should be kept detailing the nature of the complaint raised, the response, any action taken, and the reasons for it. These records should be kept confidential and retained in accordance with the Data Protection Act (1998).

Grievance Procedure

8. Stage 1- Informal Stage

- 8.1 If an employee has a complaint relating to their employment then the first stage in the procedure is to raise this informally with their line manager as soon as possible. Where the complaint or concern is against the employee's Line Manager or Head of Department, it should be raised with a member of the Senior Leadership Team. It is anticipated that most complaints can best be resolved informally in discussion with the immediate line manager. Such informal procedures concentrate on conciliation, not sanctions, with a view to reaching a prompt and amicable resolution.
- 8.2 Most issues can be resolved in this way, sometimes by acknowledging that although a matter may have created annoyance, it can best be handled by simply talking it through and agreeing how to improve the situation.
- 8.3 In some cases, employees may not consider it appropriate to raise matters informally due to the nature of the issues complained of, or it may not be possible to settle the complaint or concern informally. In such cases, the employee will not be precluded from having their grievance dealt with under Stage 2 of these procedures without first having to go through Stage 1.

9. Stage 2- Formal Stage

- 9.1 If the complaint or concern cannot be settled informally, or the employee is not satisfied with the outcome of the informal discussion then they must register the grievance formally in writing using the Grievance Form – Stage 2, at Appendix B. The written statement must set out the full details of the grievance; why the employee is dissatisfied with the response at Stage 1 of the procedure (where applicable); and what it is that the employee thinks would be a satisfactory remedy.
- 9.2 The grievance should be submitted in writing to the Chair of the Governing Body where the Head Teacher wishes to submit her/his own formal grievance, or if a formal grievance is against

the Head Teacher, or against a member of the Governing Body other than the Chair.

- 9.3 If the grievance is against the Chair of the Governing Body, it should be submitted in writing to the Vice Chair of the Governing Body.
- 9.4 In other cases it should be submitted in writing to the Head Teacher, who may refer the matter to another senior manager in the School, who will then become the Stage 2 Manager.
- 9.5 Stage 2 Manager shall then:
- Invite the employee to attend a grievance hearing which he or she will be given an opportunity to explain fully the grounds of and basis for his or her grievance. If the grievance is against the Head Teacher or has been brought by the Head Teacher, this meeting will take place with a Governor.
 - The employee may be accompanied by an appropriate work colleague or an accredited trade union official at any grievance hearing.
- 9.6 After the grievance hearing the Stage 2 Manager will undertake an investigation of the employee's grievance and upon conclusion of the same will communicate the outcome of the employee's grievance in writing without unreasonable delay.
- 9.7 The response must be sent within 10 days from the date the grievance was received. If it is not possible for the Stage 2 Manager to notify the employee in writing of the outcome within the 10 day time period, the Stage 2 manager must explain in writing to the employee why it has not been possible to comply, and when a reply can be expected.

10 Stage 3- Appeal

- 10.1 An employee who remains dissatisfied with the outcome of the Stage 2 process can appeal against the decision by submitting a written statement within 10 working days of being notified of the grievance decision he or she is appealing against. This submission should be done using the form Appeal against Grievance Decision – Stage 3, at Appendix C. The employee should send their letter of appeal to the Head Teacher. Where the Head Teacher was the Stage 2 Manager, it should go to the Chair of the Governing Body or, if the Chair is the subject of the grievance at Stage 1, the letter of appeal should be sent to the Vice Chair of the Governing Body. A copy must also be sent to the Stage 2 Manager. The employee may submit other documentation for consideration at the appeal.
- 10.2 Any documents must be submitted with the appeal form. Late submission of documents will only be considered where the employee can show that it was not possible to submit them at the time the appeal was lodged or if those documents were not in existence at the relevant time. The appeal will be heard by the Head Teacher, where the Head Teacher was not the Stage 2 Manager. Or brought to the notice of the Governing Body, if the Head Teacher was the Stage 2 Manager, where an Appeals Committee will be convened.
- 10.3 The Head Teacher/Appeals Committee will then convene a grievance appeal meeting involving the Stage 2 manager who dealt with the grievance at Stage 2, the employee and his/her Trade union representative or work colleague and reply to the employee on the same basis as Stage 2 (para. 10.3.2). A member of the School's HR Team should also be present at the meeting to give advice where appropriate.

10.4 During the grievance appeal meeting, the employee will have an opportunity to explain his or her grounds of appeal in detail and put forward any relevant evidence.

10.5 Meeting of Head Teacher/Appeals Committee:

- The Head Teacher or an Appeals Committee (of no fewer than two members will be appointed amongst the Governing Body to hear the appeal). The Head Teacher/members of the Appeals Committee will have had no prior involvement in the case. The Appeals Committee shall designate one of its members to act as Chair of the Appeal Committee. Appendix D sets out the procedure to be followed at the Meeting of Appeals Committee.
- No decision will be made during the appeal meeting itself. The Head Teacher/Appeals Committee may need to carry out further investigations before reaching any decisions.
- The result of the appeal will be communicated in writing without unreasonable delay. The decision from the Head Teacher/Appeals Committee will then be the final response by the School.

Appendix A

Grievance Form – Stage 2

It is hoped that most grievances will be resolved by informal discussion as set out in Stage 1 of the Grievance Procedure. When the informal stage has been unsuccessful then this form should be used to submit a formal grievance.

Name: **Payroll No:**

Job title:..... **School :**

Telephone No:.....

What is your complaint? (Please continue on separate sheet if required)

When did you speak informally to your manager about this complaint?
Date

Why are you dissatisfied with the response?

What do you think should be done to put things right?

Signature.....**Date**.....

Appendix B

**Grievance Form Stage 3
Appeal against outcome at Stage 2**

Name: **Payroll No:**

Job title:..... **School :**

Telephone No:.....

On.....I raised a grievance under Stage 2 of the Grievance Procedure. I am not satisfied with the response and wish to appeal under Stage 3 of the procedure

Reasons for appealing against the decision at Stage 2
(Please continue on separate sheet if required)

What action are you seeking to resolve your grievance?

Your Signature.....**Date**.....

Appendix C

Appeals Procedure

Note:

The Governing Body must ensure that formal minutes of appeal hearings are always taken. Decisions of a hearing must be reported to the governing body at the next meeting following the exhaustion of the appeal procedure.

Reference to the Appeals Committee should be read as equally referring to the Headteacher or governors as appropriate.

- E.1 The Appeals Committee shall state the purpose of the hearing, and be satisfied the appellant is aware of their right to be represented by a trade union representative or a work colleague, and to call witnesses.
- E.2 The Appeals Committee shall invite the appellant to submit the appeal in the presence of the Stage 2 Manager, and, where necessary, to call upon their witnesses (individually) to give evidence and refer to documentary evidence in support of their ground(s) of appeal.
- E.3 The Stage 2 Manager shall be given the opportunity to ask questions of each of the appellant's witnesses
- E.4 The Appeals Committee may ask questions of each of the appellant's witnesses
- E.5 Each witness shall withdraw after giving evidence and answering any questions put to them
- E.6 When the appellant has completed the submission of their appeal, the Stage 2 Manager shall be given the opportunity to ask questions of the appellant
- E.7 The Appeals Committee may ask questions of the appellant
- E.8 The Appeals Committee shall invite the Manager to present a response to the appeal in the presence of the appellant, and, where necessary, call upon their witnesses (individually) to give evidence and refer to documentary evidence in support of the response
- E.9 The appellant shall be given the opportunity to ask questions of each of the Stage 2 Manager's witnesses
- E.10 The Appeals Committee may ask questions of each of the Stage 2 Manager's witnesses.
- E.11 Each witness shall withdraw after giving evidence and answering any questions put to them.
- E.12 When the Stage 2 Manager has completed their response to the appeal, the appellant shall be given the opportunity to ask questions of the Stage 2 Manager
- E.13 The Appeals Committee may ask questions of the Stage 2 Manager
- E.14 The Stage 2 Manager may sum up their case if they so wish
- E.15 The appellant may sum up their case if they so wish

- E.16 The appellant and the Stage 2 Manager shall withdraw whilst the case is deliberated. If any recall is necessary, to clarify points of uncertainty, both parties are to return
- E.17 The Appeals Committee may decide: -
- (i) That the appeal is not upheld, and the decision of the Stage 2 Manager is confirmed
 - (ii) That the appeal is upheld, and the penalty issued at the earlier stage is commuted to a less severe penalty
 - (iii) That the appeal is upheld, and no penalty is warranted and all records be expunged from the employee's file.
- E.18 Both parties shall be notified of the Appeals Committee's decision.
- E.19 The decision of the Appeals Committee shall be confirmed in writing to both parties. The employee shall be advised that there is no further right of appeal within the School.